

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

EDWARD BRAGGS, et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:14cv601-MHT
)	(WO)
JEFFERSON S. DUNN, in his)	
official capacity as)	
Commissioner of)	
the Alabama Department of)	
Corrections, et al.,)	
)	
Defendants.)	

PHASE 2A REVISED REMEDY SCHEDULING ORDER
ON THE EIGHTH AMENDMENT CLAIM

Based on the representations made on the record on May 22, 2019, and by the parties' agreement, it is ORDERED that the plaintiffs' motion to clarify, etc. (doc. no. 2543) is granted and that the remaining deadlines and dates for the Phase 2A remedy scheduling order for the Eighth Amendment claim are revised as follows:

	OLD DATES	NEW DATES
SEGREGATION		
Parties to develop schemes to verify that defendants are now accurately and timely identifying SMI inmates with regard to segregation.	Continued generally pending mediation and resolution of the monitoring issue	
Evidentiary hearing on remedy for violations found in supplemental liability opinion. (Doc. nos. 2353, 2397, & 2398).	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	
Remedy for violations found in initial liability opinion.	Under submission	
HOSPITAL-LEVEL CARE		
Evidentiary hearing on whether parties' proposed stipulations comply with PLRA. (Doc. no. 2383).	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	
Vitek issue.	Under submission	
SUICIDE PREVENTION		
Evidentiary hearing on (1) the adequacy of the defendants' "review process" for collecting information about prisoners with SMIs in segregation, (doc. no. 2345), as well as (2) what the court should do with the information the defendants provide as a result of the "review process." <i>E.g.</i> , (doc. no. 2408-1).	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	
Defendants are to file a proposal that includes both external and internal monitoring schemes in the event that parties cannot reach an agreement on this issue by 5/18/19. (Doc. no. 2526).	5/28/19 at 5:00 p.m.	
Plaintiffs are to file a response to defendants' proposal on external and internal monitoring schemes. (Doc. no. 2526).	6/4/19 at 5:00 p.m.	
Completion of pre-placement screening training for all nurses who perform such screenings for segregation or who supervise nurses performing such screenings. See (doc. no. 2526).	6/3/19	

"Segregation-like" issues.	Under submission, though the court may reopen the matter	
Evidentiary hearing on all remaining issues.	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	
DISCIPLINARY SANCTIONS		
Evidentiary hearing of whether parties' proposed stipulations comply with PLRA. (Doc. nos. 2384 & 2382).	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	
MONITORING		
Remedy.	Under submission	
RESIDENTIAL TREATMENT AND STABILIZATION UNITS		
Remedy.	Under submission	
MISCELLANEOUS		
(1)(A) Evidentiary hearing on whether the following stipulations and orders comply with the PLRA: --Intake (doc. nos. 1780 & 1794) --Coding (doc. nos. 1779 & 1792) --Referral (doc. nos. 1786, 1814, & 1821) --Individual treatment plans (doc. nos. 1853 & 1865) --Psychotherapy and confidentiality (doc. nos. 1893 & 1899) --Definition of SMI (doc. no. 1720) --Bibb segregation issues (doc. nos. 1748 & 1751) --Preplacement screening, etc. (doc. nos. 1798, 1810, 1811, & 1815) --Removing SMIs from segregation (doc. nos. 1855 & 1861) --Confidentiality (doc. nos. 1894 & 1900) --Mental-health understaffing (doc. nos. 2283 & 2301)	7/8/19 at 10:00 a.m., 7/9/19 at 9:00 a.m., and 7/10/19 at 9:00 a.m.	

(1)(B) Parties are to file a joint report on whether the "miscellaneous" stipulations and orders, listed above in (1)(A), <i>incorrectly</i> include, or omit, items, and, if so, how. If the parties differ, they should note their difference(s) in their joint report.		5/24/19 at noon
(2)(A) In-person pretrial conference on ALL matters in this order set for hearing on 7/8/19 at 10:00 a.m. The court understands that, for ALL the matters set for hearing on 7/8/19, the plaintiffs also rely on all the evidence already presented on the suicide-prevention matters.	6/28/19 at 9:00 a.m.	
(2)(B) Parties to file a joint pretrial statement setting forth their positions on ALL the matters in this order set for hearing on 7/8/19.	6/25/19 at noon	
(3) An in-person status conference on how parties are progressing in their "pursuit of a path" toward "global resolution" of this case and related cases and proceedings, and on any other matters that warrant the court's attention.	6/4/19 at 2:00 p.m.	
(4)(A) Plaintiffs to file a report regarding whether they contend there remain any liability findings from the liability opinion (doc. no. 1285) that have not been addressed during this remedial process through an order, a stipulation, or a proposed stipulation, or remain for resolution by the Court following an evidentiary hearing. Plaintiffs' report shall not address any outstanding issues they may believe are necessary to address from the supplemental liability opinion (doc. no. 2332), for the parties agree that those issues are already under submission, see (doc. nos. 2397 & 2398).		5/28/19 at 5:00 p.m.
(4)(B) Defendants to file a response to plaintiffs' report (4)(A) regarding remaining liability findings, if any.		6/3/19 at noon
(5) Parties allowed to mediate any dispute with Magistrate Judge Ott regarding mental-health staffing (doc. no. 1583).	6/1/19	6/14/19

DONE, this the 23rd day of May, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE